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REMARKS

Reconsideration of the above identified application is respectfully requested.

The specification has been amended at para. 50 to insert the missing article, and at para. 63 to correct a spelling error.

In response to para. 8 of the office action, the correct name for reference AE, USP 4922713, is Barbarin et al. The name Matta et al was entered by error.

Applicant notes the substantial breadth of interpretation of Applicant's claims being proffered by the examiner, which correspondingly enlarges claim scope in later infringement analysis of the file wrapper. However, the examiner has failed to afford due weight to specific features and cooperation of features which distinguish over the applied art, and has assumed features in the references without adequate evidentiary support therein.

Applicant traverses the rejection of claim 1 under Section 102(b) over Lore.

Claim 1 recites that the forward louver 54 is pivotally mounted to open outwardly from the outer skin 38, which is opposite from the main deflector panel 20 of Lore which pivots open inwardly from the outer housing panel 4. The examiner's broad interpretation of Lore fails to match the combination recited in claim 1.

Accordingly, withdrawal of the rejection of claim 1 under Section 102(b) over Lore is warranted and is requested.

Applicant traverses the rejection of claims 1 & 2 under Section 102(b) over Gonidec '285 et al.

Claim 1 recites that the forward louver 54 is pivotally mounted to open outwardly from the outer skin 38, which is opposite from the deflecting baffle 24 of Gonidec '285 which pivots open inwardly from the outer fairing of the cowl

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(see 6, 7, 8).

Claim 1 also recites that the aft louver 56 is pivotally mounted to open outwardly from the outer skin 38.

There is no element "aft louver (top portion of #5)" illustrated in figures 2 and 3 of Gonidec '285 as the examiner contends. Perhaps the examiner is referring to the door 3, with its outer panel 4. Nevertheless, that door 3 does not pivot open radially outwardly from the outer fairing, but, to the contrary, it pivots radially inwardly therefrom.

The examiner's broad interpretation of Gonidec '285 therefore fails to match the combination recited in claim 1.

Claim 2 recites that the aft louver 56 and aft flap 60 are coextensive, and disposed flush with the inner skin 40 in the stowed position.

The examiner is apparently using the outer panel 4 of the door 3 of Gonidec '285 for the "aft louver (top portion #5)," and the non-numbered inner part 5 of the door 3 of Gonidec '285 for the "aft flap (lower portion of #5)," yet those two parts of the door 3 are clearly parallel to each other, and not coextensive with the inner fairing when stowed. Note that the outer panel 4 is flush with the outer fairing, not the inner fairing.

The examiner's broad interpretation of Gonidec '285 therefore fails to match the combination recited in claim 2.

Accordingly, withdrawal of the rejection of claims 1 & 2 under Section 102(b) over Gonidec '285 et al is warranted and is requested.

Applicant traverses the rejection of claim 1 under Section 102(b) over Jean '201.

The examiner's contentions regarding Jean '201 are incomplete, and fail to match the combination of features recited in claim 1.

Claim 1 recites that the forward louver 54 is pivotally

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mounted to open outwardly from the outer skin 38, which is opposite from the thrust reverser panel 20 of Jean '201 which pivots open inwardly from the outer surface of the housing.

Accordingly, withdrawal of the rejection of claim 1 under Section 102(b) over Jean '201 is warranted and is requested.

Applicant traverses the rejection of claim 1 under Section 102(b) over Masson.

The examiner's contentions regarding Masson are incomplete, and fail to match the combination of features recited in claim 1.

The deflector 23 is not pivotally mounted in the compartment between the panels 4,5, but extends from the forward edge of reverser door 210.

There is no disclosed unison link in Masson joining together the deflector 23 and the main door 7.

The examiner's reference to "see [col.] 4, lines 25-30" merely recognizes "known means," which are not illustrated nor described in Masson; nor meet the express combination recited in claim 1.

A Section 102 rejection requires evidence in a single reference, and the examiner is not permitted to speculate as to features not properly disclosed therein.

The unison link 64 recited in claim 1 pivotally joins together the forward and aft louvers 54,56. The "mechanical linkage" in Masson joins the secondary door 10 with the actuator for the main door 7 in one embodiment, and no mention is made of any connection to the deflector 23.

In another embodiment, Masson discloses an independent actuator for the secondary door 10.

In either embodiment, the examiner has failed to provide suitable evidence to anticipate the combination features of claim 1.

Accordingly, withdrawal of the rejection of claim 1

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under Section 102(b) over Masson is warranted and is requested.

Applicant notes the allowance of "Claims 15-22." However, there are twenty-five claims of record, with claims 23-25 being presented on page 17 of the specification. The electronic file of the file wrapper in the PAIR system confirms that claims 23-25 are of record.

Accordingly, the examiner should add claims 23-25, dependent from claim 21, to the list of allowed claims.

Applicant also notes the examiner's contentions regarding objected-to claims 3-14, and the exemplary reasons for allowability thereof.

Accordingly, Applicant has chosen to present claim 3 in independent form to place claims 3-14 in condition for allowance in response to the examiner's suggestion.

And, claims 1 and 2 have been amended to better distinguish over the references of record.

More specifically, the forward flap 58 from claim 4, and its connection with the forward louver 54 from claim 5 have been added to claim 1.

Both the forward and aft louvers 54,56 pivot open outwardly from the outer skin 38, and both the forward and aft flaps 58,60 pivot open inwardly from the inner skin 40.

As indicated above, none of the four applied references discloses or suggests the combination of the two louvers and aft flap originally recited in claim 1, and with the introduction of the cooperating forward flap in claim 1, claim 1 is yet further distinguished over the applied references.

Claim 2 has been amended to further recite that the aft louver 56 and aft flap 60 are disposed flush with the inner skin 40 and with the forward flap 58 as illustrated in figure 2, and disclosed at paras. 47, 48, and 50.

None of the applied references has two louvers and two

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flaps cooperating in this same manner.

Accordingly, amended claims 1 and 2 are further patentably distinguishable over the applied references.


The additional references cited, but not applied, have been noted.

In accordance with the duty imposed by 37 CFR 1.104 and MPEP sections 707, 707.05, 707.07, and 707.07(g), the examiner is requested to reconsider all the art of record, including the additional references not applied, to ensure full compliance with the required thoroughness of examination.

In re Portola Packaging, Inc., 42 USPQ2d 1295 (Fed. Cir. 1997) emphasizes the importance of complying with this duty to ensure that all references of record have been fully considered by the examiner in the various combinations thereof. And, the Board of Appeals has further elaborated on the importance of this examiner duty in Ex parte Schriker, 56 USPQ2d 1723 (B.P.A.I. 2000).

In view of the above remarks, allowance of all claims 1-25 over the art of record is warranted and is requested.

Respectfully submitted,



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